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SUBJECT: LEGISLATIVE OVERSIGHT OF THE NIGERIAN MILITARY

Classified By: Charge d'Affaires Thomas P. Furey for Reasons 1.4 (B & D).

1. (C) Summary: Legislative oversight of the Nigerian military is still in its infancy. Meeting recently with a group from the U.S. National War College and Embassy staff, members of Nigeria's House Committee on Defense did not seem to understand what role they should play but were very interested in "being more than a rubber stamp" on decisions of the President and Nigerian military leadership. Some plan to introduce a bill to add more specifics on oversight, including a confirmation process for military officer promotions. End Summary.

2. (U) A visiting group from the U.S. National War College met with members of Nigeria's House of Representatives Committee on Defense on May 12 to discuss legislative oversight of Nigeria's military. Ten members of the Committee were present for the meeting, including Chairman Wale Oke (PDP, Osun State). Also present were military officers from Defense and Army Headquarters (Commodore and Colonel-level), a Brigadier General from the Nigerian War College, a Commander from Nigeria's Defense Intelligence Agency, and officers of Nigeria's State Security Service (SSS). After some initial formalities, members of the Committee became very free in their questions and responses -- with SSS taking notes on which members asked which questions.

The Committee

3. (U) Fewer than 20 of the Committee's 40 members typically participate in sessions of the committee. Members volunteer for assignment to the Committee, based on personal interest or military experience, but the final decision about who will be on the committee rests with the House leadership. The Committee on Defense is not the apex committee dealing with political-military issues; there are also separate committees, of equal precedence, that deal with the Army, Navy, and Air Force. There is no real sub-committee structure anywhere within the National Assembly, though ad hoc committees do occasionally form to work on specific issues. There is also little committee staff, only a Secretary to the Committee (an attorney with strong personal

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interest in defense issues) and an Assistant Secretary.

4. (U) The Committee deals with oversight of issues related to the Ministry of Defense, Defense Headquarters and its staff (including the Chief of Defense Staff), joint military operations (including peacekeeping operations), tri-service institutions (such as the National War College and National Defense Academy), veterans' issues, and the annual Defense budget estimate. Oversight of issues affecting only one service are dealt with by those committees, not the Committee on Defense. The Committee also is supposed to serve as a grievance body for members of the Armed Forces (the Committee members described this as a Constitutional responsibility), and to ensure that states gain equally overall in recruiting and promotions -- a version of affirmative action called "protecting Nigeria's Federal Character."

5. (C) The Committee does not, however, have a role in confirming specific officers as service chiefs or other top positions. There is currently a bill before the Committee to set up an Armed Services Commission for oversight of the promotion process (septel), but there is no agreement even within the committee -- not to mention the extreme resistance to this idea from the military -- as to whether this level of oversight is beneficial. The members of the House Committee seemed surprised at the Constitutional responsibility of the U.S. Senate in the confirmation of service chiefs and in the appointment and promotion of military officers. One member of the Committee approached Pol/Miloff following the session with the War College for help creating a bill to introduce a legislative confirmation process for the assignment and promotion of certain military officers. The member said it would be difficult, but saw it as a small and necessary step toward the larger goal of effective and comprehensive oversight responsibility.

16. (C) The Committee seemed to have a more formal relationship with the Ministry of Defense than with the uniformed services. The Committee Chair initially said the Minister of Defense would attend the National War College session, but did not show up. The Commodore from Defense HQ commented that he was attending the session in place of the Chief of Defense Staff, who was also invited by the Committee to the session. The Defense HQ Commodore said it was his first time inside the National Assembly.

The Session with the U.S. National War College

17. (C) The session with the U.S. National War College started with a presentation by the Committee chair, going through an exhaustive (and probably overly broad) list of all of the committee's responsibilities. Questions from the U.S. students included the role of the Committee in defense budgeting, the physical structure of the committee, prioritization of defense projects (C-130s, Coast Guard), and the proposed Gulf of Guinea Commission. The Nigerian military officers jumped in to answer questions about resource projections and the budget process, because the legislators could not come up with answers. The closest thing to a substantive answer from Committee members was, to nobody's surprise, a call for debt relief from the Committee Chair to allow Nigeria to spend more money on C-130s.

18. (C) After the U.S. students' questions, the legislators started asking questions of their own. They were clearly excited to learn about the U.S. experience with legislative oversight of the military. Their specific questions related to the ability of U.S. oversight committees to summon military officers for testimony, even if the SecDef objects, and the willingness and the obligation of the officers to give their own honest opinions and professional advice, even if these views run counter to the SecDef's. Committee members seemed happy to keep full authority on appointment of service chiefs with their President, but some members were interested in taking a role in more routine promotion and assignment issues. Finally, there were questions and discussion about the War Powers Act and the role that the Senate has in oversight of emerging military operations.

Comment

19. (C) The National Assembly's intelligence oversight committees and the Nigerian intelligence community recently went through a process of establishing more effective oversight, so there is both model and precedent for the National Assembly to play an oversight role so as to increase civilian control over Nigeria's military. Oversight could also promote a more professional military, a more transparent budget process, and a more sustainable democracy. The interest is certainly there on the part of the legislators. The military may prove to be a greater challenge.
FUREY